

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Graham on December 19, 2008.

The application has been amended as follows:

Claims:

Claim **51**, lines 2-3: change "comprising the steps of:" to --using a computational device to perform the steps of:--.

Claim **56**, line 2: change "comprising the steps of:" to --using a computational device to perform the steps of:--.

Claim **91**, line 2: change "comprising the steps of:" to --using a computational device to perform the steps of:--.

Amendments to the Specification:

Page 28, lines 19-31:

Generally, the invention (e.g., a blank frame detector and/or a blank segment detector in accordance with the invention) can be implemented in any apparatus (or as part of any apparatus), as any method (or part of a method), or as any computer program or computer programs (or part of a computer program

or computer programs), which can be encoded on a computer readable medium or media, that produces the functionality of the invention as described herein. In particular, as can be readily appreciated, the invention (e.g., a blank frame detector and/or a blank segment detector in accordance with the invention) can be implemented in any computational device (which can be part of a larger apparatus or system) that is programmed (using software and/or firmware) to produce the functionality of the invention as described herein.

Allowable Subject Matter

2. Claims 1-3, 8, 10-26, and 30-92 are allowed.
3. The following is an examiner's statement of reasons for allowance: Prior art fails to teach or fairly suggest an apparatus, method, or computer readable medium for identifying a blank segment in a set of visual recording data:
 - a. means for determining if the vertical and horizontal correlation coefficients are within corresponding specified ranges and/or have a specified relationship with one another, wherein: if the specified maximum variation from pure gray at each pixel is less than a specified magnitude, the average numerical value of each color component for all of the pixels of the frame is within a specified range and/or has a specified relationship with the average numerical value of one or more other color components, and the vertical and horizontal correlation coefficients are within corresponding specified ranges and/or have a specified relationship with one another, then the frame is a snow-static frame (independent

claims 17, 56, and 57; claims 1-3, 8, 18, 22-26, 30-50, and 53-55 all depend from claim 17).

b. means for evaluating, when a frame is determined to be a snow-static frame, the temporal correlation coefficient over a specified window of frames of visual recording data that includes the snow-static frame to either confirm or reject the determination that the frame is a snow-static frame (independent claims 19, 51, and 52; claims 20, 21, and 58-89 all depend from claim 19).

c. wherein the numerical value of each color component of each pixel can vary between 0 and 255 inclusive; the specified number of pixels is greater than or equal to 80% of the pixels; and the specified magnitude is 8 (independent claims 10, 91, and 92; claims 11-16 and 90 all depend from claim 10).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEATHER R. JONES whose telephone number is (571)272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones
Examiner
Art Unit 2621

HRJ
December 17, 2008

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621